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## SENATE BILL No. 578

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 4-33.

**Synopsis:** Riverboat operations. Requires the gaming commission to adopt rules to implement a wagering structure that imposes a daily \$500 loss limit on riverboat patrons. Prohibits owners and operating agents of riverboats from installing automated teller machines on board riverboats. Provides that an owner or operating agent may not accept the use of a credit card by a patron to initiate a consumer transaction to pay for tokens, chips, or electronic cards used for wagering on board a riverboat. Limits the amount of credit that an owner or operating agent may extend to a patron to \$500.

**Effective:** July 1, 2007.

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**Miller**

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January 23, 2007, read first time and referred to Committee on Commerce, Public Policy & Interstate Cooperation.

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First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

## SENATE BILL No. 578

A BILL FOR AN ACT to amend the Indiana Code concerning gaming.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 4-33-2-3.5 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2007]: **Sec. 3.5. "Automated teller machine" means a piece of**  
4 **unmanned electronic or mechanical equipment that performs**  
5 **routine financial transactions for authorized individuals.**

6       SECTION 2. IC 4-33-4-3, AS AMENDED BY P.L.170-2005,  
7 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
8 JULY 1, 2007]: Sec. 3. (a) The commission shall do the following:

9           (1) Adopt rules that the commission determines necessary to  
10 protect or enhance the following:

11               (A) The credibility and integrity of gambling operations  
12 authorized by this article.

13               (B) The regulatory process provided in this article.

14           (2) Conduct all hearings concerning civil violations of this article.

15           (3) Provide for the establishment and collection of license fees  
16 and taxes imposed under this article.

17           (4) Deposit the license fees and taxes in the state gaming fund



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established by IC 4-33-13.

(5) Levy and collect penalties for noncriminal violations of this article.

(6) Deposit the penalties in the state gaming fund established by IC 4-33-13.

(7) Be present through the commission's gaming agents during the time gambling operations are conducted on a riverboat to do the following:

(A) Certify the revenue received by a riverboat.

(B) Receive complaints from the public.

(C) Conduct other investigations into the conduct of the gambling games and the maintenance of the equipment that the commission considers necessary and proper.

(8) Adopt emergency rules under IC 4-22-2-37.1 if the commission determines that:

(A) the need for a rule is so immediate and substantial that rulemaking procedures under IC 4-22-2-13 through IC 4-22-2-36 are inadequate to address the need; and

(B) an emergency rule is likely to address the need.

(9) Adopt rules to establish and implement a voluntary exclusion program that meets the requirements of subsection (c).

**(10) Adopt rules under IC 4-22-2 to implement a wagering structure for riverboat patrons that must impose a maximum loss of five hundred dollars (\$500) per individual patron per day.**

(b) The commission shall begin rulemaking procedures under IC 4-22-2-13 through IC 4-22-2-36 to adopt an emergency rule adopted under subsection (a)(8) not later than thirty (30) days after the adoption of the emergency rule under subsection (a)(8).

(c) Rules adopted under subsection (a)(9) must provide the following:

(1) Except as provided by rule of the commission, a person who participates in the voluntary exclusion program agrees to refrain from entering a riverboat or other facility under the jurisdiction of the commission.

(2) That the name of a person participating in the program will be included on a list of persons excluded from all facilities under the jurisdiction of the commission.

(3) Except as provided by rule of the commission, a person who participates in the voluntary exclusion program may not petition the commission for readmittance to a facility under the jurisdiction of the commission.

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(4) That the list of patrons entering the voluntary exclusion program and the personal information of the participants are confidential and may only be disseminated by the commission to the owner or operator of a facility under the jurisdiction of the commission for purposes of enforcement and to other entities, upon request by the participant and agreement by the commission.

(5) That an owner of a facility under the jurisdiction of the commission shall make all reasonable attempts as determined by the commission to cease all direct marketing efforts to a person participating in the program.

(6) That an owner of a facility under the jurisdiction of the commission may not cash the check of a person participating in the program or extend credit to the person in any manner. However, the voluntary exclusion program does not preclude an owner from seeking the payment of a debt accrued by a person before entering the program.

SECTION 3. IC 4-33-9-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 15. (a) All tokens, chips, or electronic cards that are used to make wagers must be purchased from the owner or operating agent of the riverboat:

(1) while on board the riverboat; or

(2) at an on-shore facility that:

(A) has been approved by the commission; and

(B) is located where the riverboat docks.

(b) **Subject to subsection (c)**, the tokens, chips, or electronic cards may be purchased by means of an agreement under which the owner or operating agent extends credit to the patron.

**(c) The aggregate amount of outstanding credit extended to a particular patron may not exceed five hundred dollars (\$500).**

SECTION 4. IC 4-33-9-17 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: **Sec. 17. (a) The owner or operating agent of a riverboat may not place an automated teller machine on board the riverboat.**

**(b) The owner or operating agent of a riverboat may not accept the use of a credit card by a patron to initiate a consumer transaction to pay for tokens, chips, or electronic cards used for wagering on board a riverboat.**

**(c) Wagering on board a riverboat is subject to the maximum loss amount imposed under the rules adopted by the commission under IC 4-33-4-3(a)(10).**

SECTION 5. [EFFECTIVE JULY 1, 2007] **(a) As used in this SECTION, "commission" refers to the Indiana gaming**

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1 commission.

2 (b) Notwithstanding IC 4-33-4-3, as amended by this act, the  
 3 commission shall adopt rules to implement a wagering structure  
 4 that imposes a maximum loss amount on riverboat patrons in the  
 5 same manner as emergency rules are adopted under  
 6 IC 4-22-2-37.1. Any rules adopted under this SECTION must be  
 7 adopted not later than January 1, 2008. A rule adopted under this  
 8 SECTION expires on the earlier of:

9 (1) the date the rule is adopted by the commission under  
 10 IC 4-22-2-24 through IC 4-22-2-36 to implement a wagering  
 11 structure that imposes a maximum loss amount on riverboat  
 12 patrons; or

13 (2) January 1, 2009.

14 (c) This SECTION expires January 1, 2009.

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